

# Comment on the Frank Case

Editor The Georgian:

I herewith inclose a communication for publication, if you see fit to accept same. There is really some doubt in my mind as to whether you will publish his article for the reason that I have failed to see a single article in your paper defending this court trial of Leo Frank. However, I am going to assume that you will be fair enough to allow both sides of the case to be presented to your readers. I have been a constant reader of your paper practically from its first issue; a good many things have been published in your paper that I heartily approve of, and I refer more particularly to some of your editorials, and, on the other hand, quite a few editorials that I did not approve of, but I am fair and will always pick out the best and leave out the others.

Very truly yours,

W. D. BEWLEY.

Anderson, S. C.

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Editor The Georgian:

In a recent issue of your paper I note an article by Mr. Simon Wolf, of Washington, D. C., "A Comment on the Frank Case." I should like to offer a few reflections touching this case and a criticism or so on this article of Mr. Wolf's.

First, as touching the opinion of Judge Roan; whether it is discreet or indiscreet on the part of the presiding judge to express

an opinion on a jury trial has nothing to do with the verdict of the jury. If the opinion on a jury trial has nothing to do with the verdict of the jury. If the opinion of the judge as to the guilt or innocence of the accused should cut any figure with the jury in their finding a verdict, then by virtue of that fact, the judge has overstepped his prerogative and robbed the jury of their rights under the law. In making this statement of course we refer to the passing on the facts in the case. The judge has nothing more to do with the facts in a criminal case as given to the jury than a spectator in the courtroom.

Again, a great deal has been said touching Leo Frank's nationality, and because he was a Jew there was a prejudice existing against him. I feel sure that such a statement is utterly untrue, and many who have made such a charge know it to be untrue.

Again, Mr. Simon Wolf makes this remarkable statement: "And in the case of Frank there can no longer be any question but that reasonable doubt was denied him, and that the spirit that pervaded the courtroom during the trial was anything but orderly or civilized." Upon what assumption, we would like to ask, does Mr. Wolf reach the remarkable conclusion that Frank was denied the "reasonable doubt?" The fact is, Frank was given the benefit of the "reasonable doubt" if we are disposed to believe what the twelve jurors say. He not only misstates the facts in this regard, but he reflects upon every one of those twelve jurors. They swore they would give the prisoner the benefit of any "reasonable doubt" and logically they did so, for each juror had to pass that dead line, so to speak, before they could write a unanimous verdict of guilty.

Then, again, this sage of Washington, D. C., makes the further reflection that the "spirit that pervaded the courtroom during the trial was anything but orderly or civilized." Does he suppose the people of Georgia and elsewhere will swallow any such statement? The writer happened to be in Atlanta during most of the trial and was in the courtroom, and we assert that we

have never witnessed a more orderly trial. It seems that some newspapers have just thrown down the fences, and allowed almost libelous articles to be published against judge, jury, Solicitor and the people of Georgia as touching this Frank case.

W. D. BEWLEY.